

117TH CONGRESS
1ST SESSION

S. 3377

AN ACT

To empower the Chief of the United States Capitol Police to unilaterally request the assistance of the DC National Guard or Federal law enforcement agencies in emergencies without prior approval of the Capitol Police Board.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Capitol Police Emer-
3 gency Assistance Act of 2021”.

4 **SEC. 2. EMERGENCY ASSISTANCE FOR THE CAPITOL PO-**
5 **LICE.**

6 (a) ASSISTANCE BY EXECUTIVE DEPARTMENTS AND
7 AGENCIES.—Section 911(a) of division B of the Depart-
8 ment of Defense and Emergency Supplemental Appropria-
9 tions for Recovery from and Response to Terrorist Attacks
10 on the United States Act, 2002 (2 U.S.C. 1970(a)) is
11 amended—

12 (1) in paragraph (1), by inserting “or in ac-
13 cordance with paragraph (4)” before “and on a per-
14 manent”;

15 (2) in paragraph (4)(B)—

16 (A) in the matter preceding clause (i), by
17 striking “advance”; and

18 (B) in clause (ii)—

19 (i) in subclause (I), by striking “or”
20 after the semicolon;

21 (ii) in subclause (II), by striking
22 “and” after the semicolon and inserting
23 “or”; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(III) the Chief of the Capitol
 2 Police, if the Chief of the Capitol Po-
 3 lice has determined that the provision
 4 of assistance is necessary to prevent
 5 the significant disruption of govern-
 6 mental function and public order
 7 within the United States Capitol
 8 Buildings and Grounds, as described
 9 in section 9 of the Act entitled ‘An
 10 Act to define the area of the United
 11 States Capitol Grounds, to regulate
 12 the use thereof, and for other pur-
 13 poses’, approved July 31, 1946 (2
 14 U.S.C. 1961); and”;

15 (3) by adding at the end the following:

16 “(5) REVOCATION.—The Capitol Police Board
 17 may revoke a request for assistance provided under
 18 paragraph (4)(B)(ii)(III) upon consultation with ap-
 19 propriate Members of the Senate and House of Rep-
 20 resentatives in leadership positions.”.

21 (b) CAPITOL POLICE SPECIAL OFFICERS.—Section
 22 1017 of division H of the Consolidated Appropriations
 23 Resolution, 2003 (2 U.S.C. 1974) is amended—

24 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
 2 by inserting “or as determined by the Chief of
 3 the Capitol Police in accordance with section
 4 911(a)(4)(B)(ii)(III) of division B of the De-
 5 partment of Defense and Emergency Supple-
 6 mental Appropriations for Recovery from and
 7 Response to Terrorist Attacks on the United
 8 States Act, 2002 (2 U.S.C.
 9 1970(a)(4)(B)(ii)(III)),” after “Congress,”; and
 10 (B) by adding at the end the following:
 11 “An appointment under this section due to an emergency
 12 determined by the Chief of the Capitol Police under para-
 13 graph (4)(B)(ii)(III) of section 911(a) of division B of the
 14 Department of Defense and Emergency Supplemental Ap-
 15 propriations for Recovery from and Response to Terrorist
 16 Attacks on the United States Act, 2002 (2 U.S.C.
 17 1970(a)) shall be in effect for the period of the emergency,
 18 unless and until the Capitol Police Board revokes the re-
 19 quest for assistance under paragraph (5) of such section.”;
 20 (2) by striking subsections (c) and (e);
 21 (3) by redesignating subsections (d), (f), and
 22 (g) as subsections (c), (d), and (e), respectively; and
 23 (4) in subsection (d), as redesignated by para-
 24 graph (3) of this subsection, by striking “President
 25 pro tempore” and inserting “Majority Leader”.

1 **SEC. 3. JOINT OVERSIGHT HEARINGS.**

2 (a) IN GENERAL.—The Committee on Rules and Ad-
 3 ministration of the Senate and the Committee on House
 4 Administration of the House of Representatives (referred
 5 to in this section as the “Committees”) are authorized to
 6 jointly conduct oversight hearings regarding the Capitol
 7 Police Board and may request the attendance of all mem-
 8 bers of the Capitol Police Board at any such hearing.
 9 Members of the Capitol Police Board shall attend a joint
 10 hearing under this section, as requested and under such
 11 rules or procedures as may be adopted by the Committees.

12 (b) TIMING.—The Committees may conduct oversight
 13 hearings under this section as determined appropriate by
 14 the Committees, but shall conduct not less than one over-
 15 sight hearing under this section during each Congress.

16 **SEC. 4. EFFECTIVE DATE.**

17 The amendments made by this Act shall take effect
 18 on October 1, 2021.

Passed the Senate December 13, 2021.

Attest:

Secretary.

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